

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the complaint of)	
DAWAN DAIZAR MATE against DTE ELECTRIC)	Case No. U-18328
COMPANY and DTE GAS COMPANY.)	
_____)	

At the December 7, 2017 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER

On March 7, 2017, Dawan Daizar Mate (Complainant) filed a complaint against DTE Electric Company (DTE Electric) and DTE Gas Company (DTE Gas) (collectively, Respondents). In his complaint, he asserts that DTE Electric and DTE Gas have wrongly removed him from the low - income self-sufficiency plan (LSP) and overcharged him for energy use. He seeks that his shutoff be placed on hold and his arrearages be corrected. On May 23, 2017, DTE Electric and DTE Gas filed a joint response and motion to dismiss the complaint.

An evidentiary hearing was scheduled for June 1, 2017, but was postponed at the Respondents' request. The rescheduled evidentiary hearing was to take place on July 7, 2017, but was postponed at the Complainant's request. On August 28, 2017, Administrative Law Judge Mark E. Cummins (ALJ), conducted a motion hearing at which he denied the Complainant's

motion that the ALJ recuse himself from the proceeding. The Respondents appeared at the hearing and the Complainant participated via telephone. 1 Tr 2-11.

On October 17, 2017, the ALJ conducted an evidentiary hearing. The Complainant did not appear, and consequently, the ALJ granted the Respondents' motion to dismiss. The ALJ issued an oral proposal for decision (PFD) in which the dismissal was stated to be without prejudice, so that the Complainant could pursue his claims should he desire to do so. 2 Tr 13-18. The record consists of 18 pages of transcript. There were no exhibits submitted to the record.

Exceptions were due November 14, 2017, and replies to exceptions were due November 21, 2017. Neither exceptions, nor replies to exceptions were filed.

The Commission agrees with the ALJ that Mr. Mate's complaint should be dismissed without prejudice due to the Complainant's failure to appear at the hearing.

THEREFORE, IT IS ORDERED that the complaint filed by Dawan Daizar Mate on March 7, 2017, is dismissed without prejudice.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy, Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of December 7, 2017.

Kavita Kale, Executive Secretary

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Case No. U-18328

Suggested Minute:

Case No. U-18328 involves a complaint filed by Dawan Daizar Mate against DTE Electric Company and DTE Gas Company. The order before you dismisses the complaint without prejudice.